

container the vendor does not intend to pass with the sale of the container; and for the purpose of this sub-title the requiring, taking or accepting of any deposit for any purpose upon any registered returnable container shall not be deemed to constitute a sale of such container, whether optional, conditional or otherwise, in any proceeding had under this sub-title.

1904, art. 27, sec. 313. 1902, ch. 245, sec. 206B. 1916, ch. 528, sec. 338.

**338.** Any person, partnership or body corporate that has heretofore registered returnable containers under the provisions of the law, as the same stood at the time of such registration, shall not be required to again register the same, but shall be entitled to all the benefits of this sub-title as if the same had been registered hereunder; provided, however, that it shall be unlawful for any person or corporation to adopt and register under the provisions of this sub-title any returnable container or description, name, mark or device that has been previously registered by any other person, or is at such time used or in use by any other person in good faith, whether under the provisions of this article or otherwise.

1904, art. 27, sec. 314. 1902, ch. 245, sec. 206C. 1906, ch. 47. 1916, ch. 28, sec. 339.

**339.** In any prosecution under any of the provisions of the preceding sections, it shall not be necessary to set forth or describe the name, mark or device affixed or attached to or impressed or imprinted upon any returnable container, nor to set forth the particulars of the registration of same or of the assignment or transfer of such registration, but it shall be sufficient to describe the container, so as to permit of its identification averring that the same is distinctively marked, and is registered according to law, giving the name of the owner of such returnable container, or of the dealer using the same by virtue of such registration, or the name of the assignee or transferee thereof as the case may be.

1904, art. 27, sec. 315. 1888, art. 27, sec. 207. 1882, ch. 491, sec. 7.  
1916, ch. 528, sec. 340.

**340.** All costs incurred in prosecutions under Sections 333 and 334 hereof, shall be assessed and collected in the same manner as in criminal cases, and be accounted for in the same manner as fines in cases of assault and battery are now by law disposed of.\*

**341.** Repealed. (Act 1916, ch. 528.)

**342.**

See notes to article 43, section 157.

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\*Section 2 of the act of 1916, chapter 528, provides for the repeal of all acts or parts of acts inconsistent with said act of 1916, and also contains a "saving clause" as to offences committed prior to the passage of said act.